Electronically Filed

PATENT APPLICATION
Docket No. 15777.1.2.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:	Thomas D. Holt et al.	)
Serial No.:	09/649,436	)
Filed:	August 25, 2000	)
For:	INFORMATION SEARCH, RETRIEVAL AND DISTILLATION INTO KNOWLEDGE OBJECTS	) Art Unit) 2166
Examiner:	Khanh B. Pham	)
Appeal No.:	_____	)

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

TRANSMITTAL LETTER
For Second Amended Brief of Appellant

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant submits this paper in response to the Notice of Non-Compliant Appeal Brief that was mailed May 30, 2007 (the "Notice") in connection with the Appeal Brief filed by Applicant on January 23, 2006 (the "Appeal Brief"), and the Amended Appeal Brief filed 16 April 2007 (the "Amended Brief"). Entry and consideration of the Second Amended Brief of Appellant (the "Second Amended Brief"), submitted herewith, is respectfully requested in view of the following remarks.

I. Item 1. of the Notice

The Amended Brief has been objected to on the grounds that the "brief does not contain the items required under 37 CFR 41.37(c)." Applicant disagrees but submits that in view of the amendments reflected in the Second Amended Brief filed herewith, the objection should be withdrawn.

II. Item 2. of the Notice

The Amended Appeal brief has been objected to on the grounds that the "brief does not contain a statement of all claims." Applicant submits that in view of the amendments reflected in the Second Amended Brief filed herewith, the objection should be withdrawn.

III. Item 4. of the Notice

The Amended Appeal brief has been objected to on the grounds that the summary of claimed subject matter does not "map all independent claims on appeal to specification by page and line number..." Applicant submits that in view of the amendments reflected in the Second Amended Brief filed herewith, the objection should be withdrawn.

CONCLUSIONS

In view of the remarks set forth herein, and further in view of the corresponding amendments to the Appeal Brief (as set forth in the Second Amended Brief filed herewith), Appellant respectfully submits that the objections to the Appeal Brief have been overcome and should be withdrawn.

DATED this the 15th day of June, 2007.

Respectfully submitted,

/Peter F. Malen Jr./

PETER F. MALEN JR.
Attorney for Appellant
Registration No. 45,576
Customer No. 022913
Telephone No. (801) 533-9800

W:\15777\1.2.2\PFM0000001399V001.doc

ELECTRONICALLY FILED

PATENT APPLICATION
Docket No. 15777.1.2.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:	Thomas D. Holt et al.	)
Serial No.:	09/649,436	)
Filed:	August 25, 2000	)
For:	INFORMATION SEARCH, RETRIEVAL AND DISTILLATION INTO KNOWLEDGE OBJECTS	) Art Unit) 2167
Examiner:	Khanh B. Pham	)
Appeal No.:	_____	)

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

SECOND AMENDED BRIEF OF APPELLANT

(As Amended Pursuant to Notice of Non-Compliant Brief mailed May 30, 2007)

This is an appeal to the Board of Patent Appeals and Interferences (the "Board") from the Final Office Action mailed December 22, 2004 (the "Final Office Action") wherein the Examiner rejected claims 1, 2, 6 and 10-46. This Brief is being filed pursuant to the provisions of 37 C.F.R. § 41.37. Inasmuch as the fee specified in 37 C.F.R. § 41.20(b)(2) has previously been paid, no additional fee is believed to be due. Notwithstanding, the Commissioner is hereby authorized to charge any additional fees associated with this communication, or to credit any overpayment, to Deposit Account No. 23-3178.

TABLE OF CONTENTS

LIST OF REFERENCES

U.S. Patent Documents

U.S. Patent No. 5,913,215 to *Rubinstein, et al.*
U.S. Patent No. 6,006,217 to *Lumsden*
U.S. Patent No. 6,359,633 to *Balasubramaniam, et al.*

I. REAL PARTY IN INTEREST

The real party in interest comprises SURFWAX, INC., by way of assignment from Thomas D. Holt and Larry Stephen Burke. The corresponding assignment document was recorded in the United States Patent and Trademark Office at Reel/Frame 011387/0391 on December 26, 2000. The named inventors, Thomas D. Holt and Larry Stephen Burke, who are captioned in the present application, assigned their interest in the present application to SURFWAX, INC.

II. RELATED APPEALS AND INTERFERENCES

None.

III. STATUS OF CLAIMS

Claims 1, 2, 6 and 10-46 are pending in this application, and claims 3-5 and 7-9 have been canceled. Claims 1, 2, 6 and 10-46 were rejected in the Final Office Action mailed December 22, 2004 (the "Final Office Action"). Indicated status of claims is as of the mailing date of the Final Office Action.

IV. STATUS OF AMENDMENTS

The Appellant has not submitted any amendments subsequent to the Final Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Example embodiments of the present invention are generally concerned with methods for obtaining and "distilling" search result(s). In the event that a user is presented with a number of search results, this distillation allows a user to quickly review a reduced content version of a given result, and thereby determine whether the corresponding full content version is of interest.

In the example of claim 1, such a method is performed in a client (100/106/108) – search server (102) configuration, such as might be found in a network (104) environment like the internet or a corporate intranet. A user at a client (100) might submit one or more search criteria via a search engine to the search server(s) (102), which then returns one or more search results. Page 10, lines 22-23; and, Page 11, lines 4-5. A distillation process is then performed on the contents of the selected search result. Page 23, lines 13-16; page 32, lines 6-13. The distillation causes content to be extracted from the search result; the nature/type of content that is extracted is determined by "data type" criteria that can be pre-selected by the user. Page 25, lines 4-10; Page 18, lines 9-17. The distilled version (600) of the search result is then displayed to the user. Page 32, lines 4-5, lines 19-24.

In the example of claim 6, a method for displaying search results involves receiving search criteria from a client (100). The search server(s) (316) then returns one or more search results. The user can then select a listed source document. At about the same time the document is selected, the source document can be distilled into a result object. Page 23, lines 8-20; Figure 3; page 31, lines 6-16; and, Figure 5. Subsequently, an index may be created from the result object and, upon selection of the index, a portion of the result object can be displayed. Page 33, lines 1-9.

In the example method of claim 10, search results are developed based upon criteria received from a client and the search results are distilled into a result object. A mid-menu (524) is then created that corresponds with the result object. Page 34, lines 6-11. In some instances, the mid-menu is created in accordance with user preferences. Page 38, lines 11-14. The mid-menu may include various menu options (530), as well as a content metric. Page 34, lines 11-22. Portions of the mid-menu can then be displayed (530). Page 35, lines 9-12.

In the example method of claim 19, search results are developed based upon criteria received from a client and the search results are distilled into a result object. In some instances, a mid-menu is created in accordance with user preferences. Page 38, lines 11-14. The mid-menu may be displayed and may include various menu options (530) that include a result category. Page 34, lines 6-20. The result category may include a number of results as well as a content metric. Page 34, lines 11-22.

In the example method of claim 22, search results are developed based upon criteria received from a client. At least some of the results can then be displayed in a list. Page 23, lines 8-16. The displayed list may include unique identifiers for each of the displayed results, and the displayed list may also include a distillation trigger (402) for each of the displayed results. Page 23, line 21 to page 24, line 3. The nature of the distillation trigger (402) is such that selection of the distillation trigger (402) causes the creation of a distilled version of the search results. Page 32, lines 6-14; Figure 5; and, Figure 6.

In the example method of claim 34, a user at a client (100) might submit one or more search criteria via a search engine to the search server(s) (102), which then returns one or more search results. Page 10, lines 22-23; and, Page 11, lines 4-5. A distillation process is then performed on the contents of the selected search result. Page 23, lines 13-16; page 32, lines 6-

13. A menu can then be created, and displayed, that corresponds to the result object, and the menu may include various menu options, each of which defines a corresponding result category. Page 34, lines 6-22.

In the example of claim 44, the method involves receiving search criteria from a client (100). The search server(s) (316) then returns one or more search results. The user can then select a listed source document. At about the same time the document is selected, the source document can be distilled into a result object. Page 23, lines 8-20; Figure 3; page 31, lines 6-16; and, Figure 5. In this example, the distilling process includes extracting content based on data types. Page 23, lines 17-20. The distillation may also involve deriving key points (516) from the text of the selected document. Page 28, lines 17-18. In this example, the distillation process culminates in the generation of a reduced content distilled document. Figure 6; page 33, lines 1-14.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Issue 1: Whether claims 44-46 are unpatentable, under 35 U.S.C. §102(b), as being anticipated by U.S. 5,913,215 to Rubinstein et al. ("*Rubinstein*").

Issue 2: Whether claims 1, 2, 6 and 10-43 are unpatentable, under 35 U.S.C. §103(a), as being obvious over U.S. 6,006,217 to Lumsden ("*Lumsden*") in view of U.S. 6,359,633 to Balasubramaniam et al. ("*Balasubramaniam*").

VII. ARGUMENT

A. Issue 1: Whether claims 44-46 are unpatentable under 35 U.S.C. §102(b), as being anticipated by *Rubinstein*.

A claim is anticipated under 35 U.S.C. § 102 only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference (see *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed Cir. 1987)). Further, the identical invention must be shown in as complete detail as is contained in the claim (see *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). Finally, the elements must be arranged as required by the claim (see *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)). *See* Manual of Patent Examining Procedure ("M.P.E.P.") § 2131.

The Examiner has stated in the Final Office Action that "As per claim 44, *Rubinstein* teaches the method for searching, comprising ... 'selecting one of the text-content document search results; and at substantially the time of selection, distilling the selected document' at Fig. 1, element 140 and Col. 8 lines 5-8." *Final Office Action at 2.* In this regard, it is noted that in support of this aspect of the rejection, the Examiner relies *solely* on those two portions of the reference, and interprets those sections in a manner that is not consistent with the reference as a whole. Moreover, even with that interpretation, the Examiner has failed to show that each and every element of the rejected claims is disclosed by *Rubinstein*.

As noted above in the Summary, one aspect of the present invention is the ability to conduct a search and, from a plurality of returned search results, quickly select and review an individual search result to ascertain its relevancy. Importantly, this is accomplished in a manner that does not require the user to review and study the complete content of the corresponding

search result. This feature is accomplished by allowing a user to view a list of search results returned as a result of a search query, and to then select a result. At the time of selection, the corresponding result is "distilled," and a reduced content version is then displayed to the user – allowing a determination of whether the search result is relevant. Moreover, the content of the distilled version is defined with a plurality of "data type" rules – which dictate what content is actually extracted from the search result and provided via the distilled version. Hence, the user might specify a certain set of data types to govern the manner in which the distillation occurs so as to quickly identify whether a particular search result is most relevant. Further, in at least the embodiment claimed in independent claim 44, distillation also produces at least one "key point." This key point is at least partially identified by locating text portions within the selected search result that contain predefined "verb types." The above arrangement is clearly articulated, for example, by way of independent claim 44:

44. A method for searching, comprising:

receiving search criteria;

searching at least one body of knowledge based on the search criteria;

providing a ***plurality of search results*** that are responsive to the searching, wherein at least one of the search results is a document comprised of text content;

selecting one of the text-content document search results; and

at substantially the time of selection, distilling the selected document, wherein the step of distilling comprises the following steps:

extracting content from the selected document in accordance with a plurality of data type rules;

deriving a plurality of key points from the text content of the selected document, wherein key points are at least partially identified by locating text portions within the document that contain **predefined verb types**; and

generating a reduced content distilled document that contains at least a portion of the extracted content and at least one of the key points.

As is indicated by the highlighted portions, the claim requires, *inter alia*, the steps of (1) providing a plurality of search results; (2) selecting one of the search results; (3) at substantially the time of selection, distilling the selected search result, which distillation includes extracted content in accordance with data type rules and at least one key point that is identified by searching for predefined verb types.

This is not what is taught by *Rubinstein*.

As noted in previous responses, *Rubinstein* pertains to a methodology for assisting a user in locating and identifying a single document (or web page) from a plurality of documents (or web pages). The location of a document from a database of documents is facilitated by "prompting a computer user to construct a query expression from an automatically generated list of keyword phrases." *Rubinstein* at col. 4, lines 19-23. Thus, the *Rubinstein* methodology is based upon an important premise: each of the documents in the database being searched (whether locally resident files or pages on the World Wide Web) has been previously "linguistically analyzed" to identify the keyword phrases contained within each document, and to create an "abstract" of each document in the database. This requirement is reiterated throughout the *Rubinstein* patent:

> **[E]ach of the plurality of documents** is linguistically analyzed to identify keyword phrases therein. . . . (column 4, lines 32-33, emphasis added).
>
> **[E]ach of the web pages** in the initial set of web pages is linguistically analyzed to identify keyword phrases therein. . . . (column 16, lines 7-9 emphasis added).
>
> [A]n abstract is generated **for each web page** of the initial set of web pages and then the web page discarded. . . . (column 17, lines 29-32, emphasis added).

Thus, a key premise of *Rubinstein* is that, for a given database of documents or webpages, each of the documents (web pages) are "linguistically analyzed" so as to compile a list of keyword phrases and an abstract for each individual document (web page) is created before the database is ever searched by a user to locate a single relevant document. This requirement is not merely one example embodiment that is disclosed among other embodiments (as is asserted by the Examiner in the Final Office action), it is the only approach discussed, and is necessary for the claimed invention of *Rubinstein* to operate.

The Examiner points to two sections of *Rubinstein* in support of the assertion that the reference teaches the claimed step of "at substantially the time of selection, distilling the selected document." First, the Examiner notes a single sentence at col. 8, lines 5-8:

> In one embodiment of the present invention, the user may select the document from which the abstract is generated by clicking on any one of the documents 221 listed in file list pane 220.

Second, the Examiner relies on Figure 1 of *Rubinstein*, which is a flowchart illustrating the overall process flow of the invention. In that flowchart, reproduced below for convenience, the step of "Linguistically analyze the identified document to generate an abstract paragraph thereof" is shown. The Examiner asserts that since this step occurs before the step of "presenting the abstract to user" 150, and after the searching step 130, then it implies that *Rubinstein* teaches the claimed step of "distillation" at substantially the time of selection. (See Final Office action pp. 19-20).

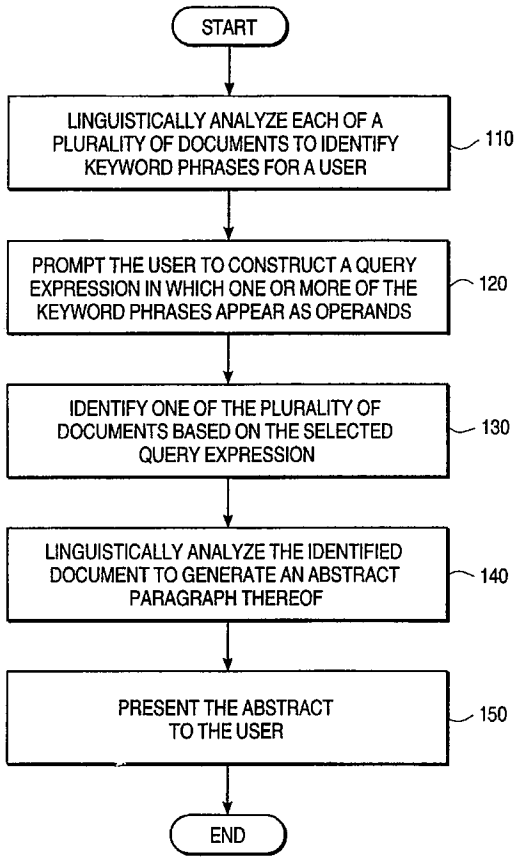

Figure 1

However, the Examiner's reading of these sections completely ignores what the reference, taken as a whole, would suggest to one of skill in the art: that there is no "distillation" occurring at the time of selection of a search result as is claimed.

First, Figure 1 is silent as to *precisely when* the linguistical analysis and abstract generation of step 140 is performed, relative to step 130. At best, it might be argued that Figure 1 of *Rubinstein* discloses that step 140 occurs at some point in time subsequent to step 130, inasmuch as step 140 is illustrated in Figure 1 as following step 130. Moreover, the description of Figure 1 in the *Rubinstein* specification likewise fails to provide support for the assertion of the Examiner that step 140 is performed "at substantially the time of" step 130. Particularly, the

specification simply states "[a]t step 130, one or more of the plurality of documents is identified based on the constructed query expression ... At step 140, an abstract of the document is generated." *Col. 4, lines 49-59.* Clearly, the description of Figure 1, like Figure 1 itself, fails to teach, or even suggest, that step 140 is performed "substantially at the time of" step 130, as the Examiner has alleged. In fact, and in direct contrast to the interpretation being urged by the Examiner, as noted above, all of the embodiments disclosed in *Rubinstein* teach that the documents would have been previously linguistically analyzed so as to identify "keyword phrases" and "concept sentences" (which must have already been done to conduct the search in the first instance in that these key words are used to construct a search in the first instance), and that the "abstract" of each of the documents is generated from these keyword phrases. Indeed, this is what is expressly taught by *Rubinstein*: "Each abstract is generated based on concept sentences identified in the web page as described above." *Col. 17, lines 34-35.* As is taught throughout the *Rubinstein* specification, the linguistic generation of "concept sentences" and "keyword phrases" is conducted for all of the documents prior to a search being conducted in the first instance. Hence, the characterization by the Examiner that any sort of "distillation" occurs at substantially the time of selection of a search result is contrary to the teachings of *Rubinstein.*

The Examiner's reliance on the quoted statement at Col. 8, lines 5-8 is similarly misplaced. Again, the text of *Rubinstein*, col. 8, lines 5-8 provides that:

> In one embodiment of the present invention, the user may select the document from which the abstract is generated by clicking on any one of the documents 221 listed in file list pane 220. In this way, a user can browse the abstract of each document identified by the query expression.

First, as with Figure 1, nothing about this statement teaches that a selected search result is distilled "substantially at the time of selection." Moreover, such a reading would contradict the teachings of the reference taken as a whole – which indicates that keywords and key phrases are

first extracted from all of the documents in the archive catalog (the database being searched) prior to any searching being conducted.

> "[T]he user-interface 500 includes an automatically generated list of search terms, referred to as key words and key phrases, displayed in a keyword pane 501. . . . The listed key words in the key word area 510 and key phrases in key phrase area 514 act to 'prompt' the user to search for information of interest without requiring the user to explicitly conceive search terms. . . . The key words and key phrases listed in areas 510 and 514 prompt the user to construct a query expression. . . .

Column 10, lines 25-42.

Also, Column 16, lines 7-17 states:

> Returning to the method of Fig. 8, at step 820, each of the web pages in the initial set of web pages is linguistically analyzed to identify keyword phrases therein. In one embodiment of the present invention, this is accomplished by downloading and linguistically analyzing the contents of each web page concurrently with the ongoing search initiated in step 815. In step 825, the computer user is prompted to construct a query expression in which at least one of the keyword phrases is an operand, and in step 830, the query expression is used to identify one web page of the initial set of web pages.

(emphasis added).

Thus, any assertion that the single sentence at col. 8, lines 5-8 would support a notion that a "distillation" occurs at the time of selection is contrary to the rest of the teachings of *Rubinstein.* The linguistic analysis (which the Examiner is equating to "distillation") occurs to all of the documents in the database to be searched (the archive catalog). This is necessary to help the user construct an appropriate search query. See also, column 17, lines 25-35:

> Fig. 15 depicts an Abstract window 1500 used to display an abstract of the web page identified in step 830 of method 800. A web page abstract may also be selected by clicking a web page icon (or URL) in the Contents view 1000. In one embodiment of the present invention, an abstract is generated for each web page of the initial set of web pages and then the web page is discarded. This way, system memory is conserved. The user may recall the full web page if desired. Each abstract is generated based on concept sentences identified in the web page as described above.

(emphasis added).

The temporal relation between abstract generation and the selection of the document is clearly and consistently defined elsewhere in *Rubinstein* to be of the nature that the abstract is generated prior to selection of any document by a user. Moreover, the teaching/suggestion is not limited to a single disclosed embodiment, but is implied with respect to all disclosed embodiments. For example, *Rubinstein* notes that "In one embodiment of the present invention, the abstract has been previously generated based on linguistic analysis of the web page." *Col. 16, lines 39-41. Emphasis added.* It should be noted that while *Rubinstein* often uses the terminology "in one embodiment," such usage speaks only to the scope of *Rubinstein*, and reveals nothing specific about features of any other embodiments.

As another example, *Rubinstein* discloses that "In one embodiment of the present invention, the user may select a web page from the list by moving the mouse cursor over a listed web page. A previously generated abstract corresponding to the selected web page is then displayed." *Col. 16, lines 47-50. Emphasis added.* This process is directly analogous to that recited at col. 8, lines 5-8.

Thus, a more logical and supportable construction of the phrase "the user may select the document from which the abstract is generated by clicking on any one of the documents 221" is that such phrase indicates only the *technical* relationship between the abstract and the document, and does not disclose any particular *temporal* relation between abstract generation and the selection of the document. That is, the aforementioned phrase simply reiterates that the abstract comes from, or is based upon, the document. At best then, col. 8, lines 5-8 of *Rubinstein* is silent on the temporal relation between abstract generation and document selection by the user, and simply indicates that a user can select a document by clicking on the document and the user can then view the abstract associated with the clicked document.

In light of the foregoing, it is clear that *Rubinstein* contemplates, in unequivocal fashion, that the disclosed "abstracts" are only generated prior to the time that a user selects a document. Thus, the assertion of the Examiner that col. 8, lines 5-8 of *Rubinstein* teaches distillation occurring "substantially at the time of selection" of a search result is plainly inconsistent with the express teachings of that reference. In this regard, the Examiner has provided no justification or explanation for having adopted the inconsistent approach articulated in the rejection of claims 44-46 based upon *Rubinstein*.

Even if it is assumed for purposes of argument that *Rubinstein* does teach "distillation" at substantially the time of selection of a search result (which it does not), the reference still fails to teach distillation in the manner expressly required by independent claim 44. For example, the claim specifically requires that the step of distillation include, *inter alia*, "deriving a plurality of key points . . . **wherein the key points are at least partially identified by locating text portions within the document that contain predefined verb types."** Nowhere does *Rubinstein* teach the use "verb types" to identify key points. Here, the Examiner merely cites to col. 8 line 25 to col. 9 line 25 (Final Office Action p. 3). However, that section discusses a preferred linguistical analysis tool – referential analyzers and mathematical analyzers. Nowhere in that discussion is there any mention of utilizing "predefined verb types" and a technique for identifying key points, as is specifically required by the claim. Thus, for this reason alone, the Examiner's rejection of claim 44 (and dependent claim 46, which provides yet additional limitations concerning the use of verb sequences) is being anticipated by *Rubinstein* is wrong and should be withdrawn.

For at least the reasons presented above, the *Rubinstein* reference fails to anticipate independent claim 44, inasmuch as *Rubinstein* does not disclose each and every element of that

claim (see *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed Cir. 1987)) arranged as required by the claim (see *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)), nor does *Rubinstein* disclose the identical invention in as complete detail as is contained in the claim (see *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). See also, *MPEP § 2131*. As independent claim 44 is not anticipated by *Rubinstein*, it necessarily follows that the corresponding dependent claims 45-46 are not anticipated by *Rubinstein*.

In view of the foregoing, the rejection of claims 44-46 under 35 U.S.C. § 102(b) should be overruled by the Board.

B. Issue 2: Whether claims 1, 2, 6 and 10-43 are unpatentable, under 35 U.S.C. §103(a) as being obvious over *Lumsden* in view of *Balasubramaniam*.

It is well settled that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *M.P.E.P. § 2143*. As discussed below however, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 1, 2, 6 and 10-43.

i. claims 1, 2 and 6

With respect to the rejection of claim 1, the Examiner has asserted that:

> Lumsden teaches: "distilling a selected one of the search results in substantially real time relative to the time of selection, the selected search result having a first content and wherein the distillation comprises the step of extracting content from the first content in accordance with at least one data type criterion selected from a plurality of predefined data type criteria" at Col. 6 line 48 to Col. 7 line 22.

As pointed out in the paper filed by Applicant on September 7, 2004 however, the Examiner has not established that *Lumsden* teaches the claimed distillation process, or the use of that process to produce a "distilled version of the selected search result including the extracted content." Particularly, Applicant noted in that paper that:

> This creation of a distilled version – a data entity that is separate and distinct from the search result – is a concept that is entirely different than what is taught or suggested by *Lumsden*. As conceded by the Examiner and discussed above, *Lumsden* merely teaches that a search result be "enhanced" by highlighting the keywords contained therein, and that the full content version of the search result be returned for viewing by the user. This full content version can then be easily navigated by the user, by displaying portions of the document

> (search result) in the user's browser window – and only those portions that include the highlighted keywords are displayed at a given time. Thus, the user is able to review a search result in context – i.e., by successively scrolling/displaying through the entire content by skipping to locations that include the keyword. Nowhere does *Lumsden* teach (1) that content be extracted from the search result, or (2) that a separate data entity - a distilled version - be created with extracted content, or (3) that content be extracted in accordance with a "data type criterion." Indeed, the concept of distilling the content of a search result into a separate data entity is entirely contrary to what is taught by *Lumsden*; indeed, creation of separate data entities for each highlighted keyword would be nonsensical, and inconsistent with the stated objectives of *Lumsden*, to "provide users of a Web search product with search results in context." (Column 2, lines 37-38). In other words, while *Lumsden* provides an enhanced means for navigating a search result, the user is still able to navigate through the entire content of the search result in the traditional manner – *i.e.*, by scrolling through the text of the document.

Amendment Under 37 C.F.R. § 1.111, filed September 7, 2004, at 13. Emphasis in original.

In connection with the foregoing, *Lumsden* indicates, for example, that "the [enhanced] document is modified to *include* code that causes user selection of one of the matching keywords in the document" and "this enhanced document is then forwarded by the search server 62 to the client 60 ..." *Col. 6, line 67 to col. 7, lines 1-2. Emphasis added.* Clearly, the addition of material to the enhanced document, as taught by *Lumsden*, is contrary to the "distillation" process recited in claim 1 where materials are extracted from a search result.

For at least the reasons outlined above, the Examiner has failed to establish that *Lumsden* teaches either the claimed distillation process, or the claimed creation of a "distilled version."

As to *Balasubramaniam*, the Examiner has conceded in the Final Office that Action that:

> Lumsden does not explicitly teach the step of ... "creating a distilled version of the selected search result including the extracted content, wherein the distilled version constitutes a data entity having a predefined format and that is distinct from the search result. However, Balasubramaniam teach a method for abstracting document by content extract from the document and creating an abstract (i.e., "distilled") version of the selected document including the extract content" at Col. 1 lines 45-50, wherein the abstract version "constitutes a data entity having a predefined format and that is distinct from the search result" at Col. 4 lines 35-43. Thus, it would have been obvious ... to combine Lumsden

> and Balasubramaniam's teachings to create an abstract of the document before return to the user because "the abstract can be considered as a summarized version of the document. It occupies less bandwidth than the document and can be transmitted to a user at a much faster pace" as....suggest by Balasubramaniam at Col. 1 lines 45-55. Further, modifying Lumsden's teaching such that the distilled version having a predefined distinct format would allow people with different types of devices and connection to access the information efficiently, as suggested by Balasubramaniam at Col. 4 lines 35-45.

Final Office Action at 5-6.

Notwithstanding the contentions of the Examiner, it is not at all clear that the purported benefits of the proposed combination would be realized. For example, the Examiner relies for the finding of motivation on the assertion in *Balasubramaniam* that the abstract "occupies less bandwidth than the document and can be transmitted to a user at a much faster pace." *Emphasis added.* However, "faster" is a relative term and while it may be true that a *Balasubramaniam* abstract can be transmitted "faster," relative to a *Balasubramaniam* document, it is not at all apparent that abstracts of *Lumsden* documents created in accordance with the teachings of *Balasubramaniam* could, or would, be transmitted faster than the documents, or enhanced documents of *Lumsden*. Moreover, in a high speed network, at least, a user will frequently be unaware of any difference in transmission speeds for documents of different sizes. Thus, the assertion of the Examiner that a "faster pace" of document transmission would necessarily be achieved in connection with the purportedly obvious combination is speculative, at best.

Not only has the Examiner failed to establish that "faster" transmission rates would necessarily result from the purportedly combination of *Balasubramaniam* and *Lumsden*, but it is also clear that while the rejection made by the Examiner at least implicitly assumes that abstracts such as disclosed in *Balasubramaniam* would serve some useful purpose in connection with the operation of the *Lumsden* system, the teachings of *Lumsden* suggest otherwise.

In particular, *Lumsden* purports to fulfill the need:

> for a technique by which a user of a Web search site or product can quickly and easily ascertain whether a site listed in a search results list merits further investigation. An object of the present invention is to provide a technique for giving users of Web search products with enhanced search results. Another object of the present invention is to provide users of a Web search product with search results in context. Yet another object of the invention is to provide a technique by which more information is provided to the user of a Web search product so that the user can more readily determine the relevance of the sites listed in search results ... To achieve the foregoing objects ... the present invention includes a software implemented process associated with a server ... having a database associated therewith which includes information about documents available on the Internet.

Col. 2, lines 33-56. Emphasis added.

Thus, *Lumsden* purports to provide an enhanced user Web search experience by providing the user with information concerning documents accessible by way of the internet. This end is achieved through the creation and use of "enhanced" documents. In light of this teaching, it is not at all clear that the use of abstracts such as disclosed in *Balasubramaniam* would provide any additional benefit in terms of the user experience. Thus, there is no apparent motivation to make the purportedly obvious combination advanced by the Examiner.

Finally, the Examiner has asserted that the combination of *Lumsden* and *Balasubramaniam* would be obvious because "modifying Lumsden's teaching such that the distilled version having a predefined distinct format would allow people with different types of devices and connection to access the information efficiently, as suggested by Balasubramaniam at Col. 4, lines 35-45." *Final Office Action at 5.* Notwithstanding this assertion by the Examiner, claim 1 does not simply recite a "distilled version having a predefined distinct format." Rather, claim 1 requires that the "distilled version constitutes a data entity having a predefined format and that is distinct *from the search result*." *Emphasis added.* Inasmuch as the Examiner has not established, nor even asserted, that *Balasubramaniam* teaches or suggests the limitation actually recited in claim 1, it is clear that even if the purported teachings of the

references are combined in the allegedly obvious fashion advanced by the Examiner, the resulting combination nonetheless fails to include all the limitations of claim 1.

As discussed above, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claim 1, at least because even if the references are combined in the purportedly obvious fashion advanced by the Examiner, the resulting combination fails to include all the limitations of claim 1, and because there is no motive to make the combination proposed by the Examiner and, finally, because there is no reasonable expectation that the proposed combination would be successful. Accordingly, the rejection of claim 1 under 35 U.S.C. § 103(a) is not well taken and should be overruled by the Board.

By virtue of their dependence from claim 1, claims 2-6 each require:

> distilling a selected one of the search results in substantially real time relative to the time of selection, the selected search result having a first content and wherein the distillation comprises the step of extracting content from the first content in accordance with at least one data type criterion selected from a plurality of predefined data type criteria ...

As discussed above in connection with claim 1 however, the Examiner has not established that any of the cited references teach the aforementioned limitation. Nor has the Examiner established the existence of a motivation to combine references in the purportedly obvious fashion. For at least these reasons, the Examiner has likewise failed to establish a *prima facie* case of obviousness with respect to claims 2-6. Accordingly, the rejection of claims 2-6 under 35 U.S.C. § 103(a) is not well taken and should also be overruled by the Board.

ii. claims 10-18

In rejecting claim 10, the Examiner has alleged that "Lumsden teaches ... distilling a selected one of the search results into a result object, the result object comprises content extracted from the selected search result at Col. 6 lines 48-67." *Final Office Action at 7.*

Notwithstanding this assertion, the Examiner has conceded that *Lumsden* does not teach this limitation. Particularly, in the discussion of claim 1, the Examiner has admitted that "Lumsden does *not* explicitly teach the step of: 'creating a distilled version of the selected search result including the extracted content" (Appellant notes as well that the Examiner has not established that *Lumsden* implicitly teaches the above-recited limitation). *Final Office Action at 5. Emphasis added.* See also, *Final Office Action at 12-13.* For at least this reason, the rejection of claim 10 is not well taken.

The Examiner has also alleged that *Balasubramaniam* teaches the step of "'creating a mid-menu that corresponds to the result object, the mid-menu comprising a plurality of menu options, each menu option including at least one result category, and a content metric, the content metric being a measure of a relative value of the result category, and displaying the mid-menu' at Col. 3 lines 55 to Col. 4 line 35." *Final Office Action at 8.* The Examiner then concludes it would be obvious to add the "mid-menu" of *Balasubramaniam* to the *Lumsden* system to "allow user to customize and access to different type and category of data within the search result." Thus, the Examiner failed to specifically identify which elements of *Balasubramaniam* are purported to correspond to the claimed elements. For that reason alone, the rejection of the Examiner is defective and should be overruled by the Board. In addition however, close inspection of the cited passage reveals that the understanding of the Examiner as to the disclosure of *Balasubramaniam* is incorrect.

Particularly, *Balasubramaniam* notes with respect to Figure 3, discussed in the passage cited by the Examiner, that "FIG. 3 shows one set of steps 200 to implement an abstractor of the present invention." *Col. 3, lines 29-30. Emphasis added.* As to such "abstractors," *Balasubramaniam* states that "An abstractor 152 can create (step 102) a hyperlinked abstract of a

markup language document. The abstract can be considered as a summarized version of the document." *Col. 3, lines 2-5. Emphasis added.* Thus, the lengthy passage cited by the Examiner concerns creation of an abstract, and has nothing to do with presentation, to a user, of a mid-menu that corresponds to a result object.

Along this line, claim 10 clearly recites that the created mid-menu "corresponds to the result object," which result object was created by "distilling a selected one of the search results." That is, claim 10 requires, first, performance of a distillation process to create a result object. Then, after the result object is created, a mid-menu is created that corresponds to that result object. In this regard, the Examiner has characterized the "abstract" of *Balasubramaniam* as corresponding with the "result object" recited in claim 10. *Final Office Action at 8.*

Applying the characterization of the "abstract" of *Balasubramaniam* advanced by the Examiner, it is clear that the "abstractor" disclosed in *Balasubramaniam* does not and cannot correspond to the recited "mid-menu." Particularly, the "abstractor" cited by the Examiner is employed to create the abstract in the first instance, so that operation of the "abstractor" necessarily commences before the "abstract" has been created. On the other hand, the "mid-menu" recited in claim 10 is not created until after the result object, alleged by the Examiner to correspond to the "abstract," has already been produced.

As discussed above, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claim 10, at least because even if the references are combined in the purportedly obvious fashion advanced by the Examiner, the resulting combination fails to include all the limitations of claim 10. Accordingly, the rejection of claim 10 under 35 U.S.C. § 103(a) is not well taken and should be overruled by the Board.

By virtue of their dependence from claim 10, claims 11-18 each require "creating a mid-menu that corresponds to the result object, the mid-menu comprising a plurality of menu options, each menu option including at least one result category, and a content metric, the content metric being a measure of a relative value of the result category, and displaying the mid-menu." As discussed above in connection with claim 10 however, the Examiner has failed to establish that any of the cited references, either alone or in combination, teach or suggest the aforementioned limitation in combination with the other limitations of the rejected claims. For at least this reason then, the Examiner has likewise failed to establish a *prima facie* case of obviousness with respect to dependent claims 11-18. Accordingly, the rejection of claims 11-18 under 35 U.S.C. § 103(a) is not well taken and should also be overruled by the Board.

iii. claims 19-21

Similar to claim 10, claims 19-21 each require, among other things, "creating a mid-menu ... corresponding to the result object ..." As discussed above in connection with claim 10 however, the Examiner has failed to establish that any of the cited references, either alone or in combination, teach or suggest the aforementioned limitation. For at least the reasons outlined above in connection with the discussion of claim 10, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 19-21. Accordingly, the rejection of claims 19-21 under 35 U.S.C. § 103(a) is not well taken and should be overruled by the Board.

iv. claims 22-33

In stating the rejection of claims 22-33, the Examiner has alleged that "Lumsden teaches ... 'wherein selection by a user of a distillation trigger causes substantial real-time creation of a distilled version of the search result corresponding to the unique identifier associated with the selected distillation trigger'." *Final Office Action at 12.* As explained in the discussion of

claims 1, 2 and 6 above however, the Examiner has failed to establish that *Lumsden* teaches the creation of any "distilled version of a search result," much less the creation of such a distilled version in "substantial real-time" as claim 22 requires.

The Examiner has further alleged that it would be obvious to one of skill in the art to modify the purported teachings of *Lumsden* to allow for the creation of an "abstract" as disclosed in *Balasubramaniam* because, the Examiner has asserted, *Balasubramaniam* discloses that "the abstract can be considered as a summarized version of the document. It occupies less bandwidth than the document, and can be transmitted to a user at much faster pace." *Final Office Action at 13*. As explained in the discussion of claims 1, 2 and 6 above however, the Examiner has failed to establish the existence of any suggestion or motivation to modify the system and methods of *Lumsden* in the aforementioned fashion. For example, the asserted benefits of *Lumsden* flow from the creation and use of enhanced, full content versions of documents. Thus, the modification of *Lumsden* to include "abstracts" such as disclosed in *Balasubramaniam* would introduce an unnecessary feature.

Finally, the Examiner has asserted that the combination of *Lumsden* and *Balasubramaniam* would be obvious because "modifying Lumsden's teaching such that the distilled version having a predefined distinct format would allow people with different types of devices and connection to access the information efficiently, as suggested by Balasubramaniam at Col. 4, lines 35-45." *Final Office Action at 13*. However, this assertion by the Examiner is inapposite since claim 22 does not recite this limitation.

For at least the reasons outlined above, and with reference also to the discussion of claims 1, 2 and 6, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 22-33. Particularly, claims 22-33 are similar to claim 1 in that claims 22-33

require "wherein selection by a user of a distillation trigger causes substantial real-time creation of a distilled version of the search result corresponding to the unique identifier associated with the selected distillation trigger." As discussed above in connection with claims 1, 2 and 6 however, the Examiner has failed to establish that any of the cited references, either alone or in combination, teach or suggest the aforementioned limitation. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 22-33, and the rejection of claims 19-21 under 35 U.S.C. § 103(a) should thus be overruled by the Board.

v. claims 34-43

The rejection of claims 34-43 is based in part upon the allegation by the Examiner that "Lumsden teaches ... 'distilling a selected one of the search results into a result object, the result object including content extracted from the selected search result in accordance with a plurality of data type preferences selected from a plurality of predefined data type preference types." *Final Office Action at 15.* As explained in the discussion of claims 1, 2 and 6 above however, the Examiner has failed to establish that *Lumsden* teaches the creation of any "result object" by "distilling one of the search results." In any case, the Examiner has repeatedly admitted that "Lumsden does *not* explicitly teach the step of: 'creating a distilled version of the selected search result including the extracted content" (Appellant notes as well that the Examiner has not established that *Lumsden* implicitly teaches the above-recited limitation). *Final Office Action at 5. Emphasis added.* See also, *Final Office Action at 12-13.*

The Examiner has also alleged that Lumsden teaches "creating a menu corresponding to the result object, the menu including a plurality of menu options, wherein each menu option defines a result category that is descriptive of a predefined portion of the content of the result object." *Final Office Action at 16.* As with many of the allegations made by the Examiner in the

Final Office Action, the foregoing statement fails to specifically identify which elements of *Lumsden* are purported to correspond to the recited claim limitations. For that reason, alone, the rejection of the Examiner is defective and should be overruled by the Board.

In addition, the Examiner has repeatedly conceded that "Lumsden does *not* explicitly teach ... 'creating a mid-menu that corresponds to the result object, the mid-menu comprising a plurality of menu options, each option including at least one result category ...'" *Final Office Action at 8. Emphasis added.* See also, *Final Office Action at 10-11.*

Finally, it is clear in any event that in rejecting claims 34-43, the Examiner has inaccurately characterized the teaching of *Lumsden*. Particularly, the portion of *Lumsden* cited by the Examiner, col. 6, line 67 to col. 7, lines 1-22, makes no reference to the use of menus such as are recited in claims 34-43. Instead, that portion of *Lumsden* is concerned with providing a user with an "enhanced document" that is configured to allow the user to "navigate within the document to the next sequential keyword by selecting the displayed keyword within the document." *Col. 7, lines 1-22.* Inasmuch as *Lumsden* fails to disclose the creation and use of the claimed "menu," that reference likewise fails to disclose the claimed "display" of such a "menu."

As discussed above, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claim 34, at least because even if the references are combined in the purportedly obvious fashion advanced by the Examiner, the resulting combination fails to include all the limitations of claim 34. Accordingly, the rejection of claim 34 under 35 U.S.C. § 103(a) is not well taken and should be overruled by the Board.

By virtue of their dependence from claim 34, claims 35-43 each require, among other things, "distilling a selected one of the search results into a result object, the result object including content extracted from the selected search result in accordance with a plurality of data

type preferences selected from a plurality of predefined data type preference types" as well as "creating a menu corresponding to the result object, the menu including a plurality of menu options, wherein each menu option defines a result category that is descriptive of a predefined portion of the content of the result object."

As discussed above in connection with claim 34 however, the Examiner has not established that any of the cited references teach the aforementioned limitations. For at least this reason, the Examiner has likewise failed to establish a *prima facie* case of obviousness with respect to claims 35-43. Accordingly, the rejection of claims 35-43 under 35 U.S.C. § 103(a) should also be overruled by the Board.

CONCLUSIONS

Based on the foregoing, Appellant respectfully submits that the rejections of the claims are not well taken. Accordingly, Appellant respectfully requests that the Board reverse the Examiner's rejections of claims 1, 2, 6 and 10-46 pending in this application and thereby place this application in condition for immediate allowance.

This *amended* Appeal Brief is

DATED this the 15th day of June, 2007.

Respectfully submitted,

/Peter F. Malen Jr./

PETER F. MALEN JR.
Attorney for Appellant
Registration No. 45,576
Customer No. 022913
Telephone No. (801) 533-9800

W:\15777\1.2.2\PFM0000001398V001.DOC

VIII. CLAIMS APPENDIX

1. **(Previously Presented)** A method for real-time distillation of a source document, comprising:

receiving search criteria from a client;

searching at least one source based on the search criteria;

determining search results responsive to said searching;

distilling a selected one of the search results in substantially real time relative to the time of selection, the selected search result having a first content and wherein the distillation comprises the step of extracting content from the first content in accordance with at least one data type criterion selected from a plurality of predefined data type criteria; and

creating a distilled version of the selected search result including the extracted content, wherein the distilled version constitutes a data entity having a predefined format and that is distinct from the search result.

2. **(Previously Presented)** A method as in claim 1, further comprising the step of creating an index in the distilled version, wherein the index allows selective entry into the content of the corresponding search result.

3. – 5. **(Cancelled)**

6. **(Previously Presented)** A method for displaying search results, comprising:

receiving search criteria from a client;

searching at least one source based on the search criteria;

determining search results responsive to said searching, the search results comprising source documents;

selecting one of the source documents, the selected document having a first content;

at substantially the time of selection, distilling the selected source document into a result object having a predefined format and that is created as a distinct data entity from the selected source document, wherein the result object includes a second content and the second content is derived from the first content in accordance with at least one predefined distillation criterion; and

creating an index from the result object into the selected source document, wherein selection of the index provides a display of a corresponding portion of the first content.

7. – 9. **(Cancelled)**

10. **(Previously Presented)** A method for displaying search results, comprising:

receiving search criteria from a client;

searching at least one source based on the search criteria;

determining a plurality of search results responsive to said searching;

distilling a selected one of the search results into a result object, wherein the result object is created as a separate data entity from the selected search result, and comprises content extracted from the selected search result;

creating a mid-menu that corresponds to the result object, the mid-menu comprising a plurality of menu options, each menu option including at least one result category; and

a content metric, the content metric being a measure of a relative value of the result category; and

displaying the mid-menu.

11. **(Previously Presented)** A method as in claim 10, wherein the content metric comprises a quantitative measure of the relative value of the result category.

12. **(Previously Presented)** A method as in claim 11, wherein the quantitative measure comprises a number of results for the result category.

13. **(Previously Presented)** A method as in claim 11, wherein the quantitative measure comprises a number of occurrences of pre-specified data.

14. **(Previously Presented)** A method as in claim 10, wherein the content metric comprises a qualitative measure of the relative value of the result category.

15. **(Previously Presented)** A method as in claim 14, wherein the qualitative measure comprises an indicator of the relevance of the results of the result category to the search criteria.

16. **(Previously Presented)** A method as in claim 10, wherein at least one result category comprises a data type.

17. **(Previously Presented)** A method as in claim 10, wherein at least one result category comprises a user-defined type.

18. **(Previously Presented)** A method as in claim 10, additionally comprising determining user preferences, and dynamically creating the mid-menu in accordance with the user preferences.

19. **(Previously Presented)** A method for displaying search results, comprising:

receiving search criteria from a client;

searching a plurality of sources based on the search criteria;

determining search results responsive to said searching;

distilling a selected one of the search results into a result object, wherein the result object is created as a separate data entity from the selected search result, and comprises content extracted from the selected search result;

determining user preferences;

creating a mid-menu in accordance with the user preferences, the mid-menu corresponding to the result object and comprising a plurality of menu options, each menu option including a result category, each result category having a number of results; and

a content metric for each result category, the content metric being a measure of the value of the result category; and

displaying the mid-menu.

20. **(Previously Presented)** A method as in claim 19, wherein the content metric comprises a quantitative measure for each result category.

21. **(Previously Presented)** A method as in claim 19, wherein the content metric comprises a qualitative measure for each result category.

22. **(Previously Presented)** A method for searching, comprising:

receiving search criteria;

searching at least one body of knowledge based on the search criteria;

providing a plurality of search results that are responsive to the searching;

displaying on a display device a list of at least some of the search results, the list comprising:

a separate and unique identifier corresponding to each one of the search results in the list; and

a separate distillation trigger associated with each unique identifier; and

wherein selection by a user of a distillation trigger causes a substantial real-time creation of a distilled version of the search result corresponding to the unique identifier associated with the selected distillation trigger, and wherein the distilled version is created as a data entity distinct from the corresponding search result and includes content extracted from the search result.

23. **(Previously Presented)** A method as defined in claim 22, wherein the unique identifier is a URL corresponding to the search result in the list.

24. **(Previously Presented)** A method as defined in claim 22, wherein the unique identifier is a title corresponding to the search result in the list.

25. **(Previously Presented)** A method as defined in claim 22, wherein the unique identifier is an abstract corresponding to the search result in the list.

26. **(Previously Presented)** A method as defined in claim 22, wherein selection by a user of the unique identifier causes a full content version of the corresponding search result to be displayed on the display device.

27. **(Previously Presented)** A method as defined in claim 22, wherein the distilled version includes content extracted from the corresponding search result in accordance with at least one predefined data type.

28. **(Previously Presented)** A method as defined in claim 27, wherein the at least one predefined data type is selected from one of the following data types: a key point; a focus word; a matched-in-context key point; a title; and a URL.

29. **(Previously Presented)** A method as defined in claim 27, wherein the at least one data type provides an index to content of the corresponding search result.

30. **(Previously Presented)** A method as defined in claim 27, further comprising the steps of:

displaying the distilled version on the display device; and

wherein selection by a user of a predefined data type within the displayed distilled version causes a substantially real time entry into the content of the corresponding search result.

31. **(Previously Presented)** A method as defined in claim 30, further comprising the step of displaying a predefined portion of the content of the search result, wherein the predefined portion is adjacent to the data type selected by the user within the distilled version.

32. **(Previously Presented)** A method as defined in claim 22, further comprising the step of displaying the distilled version on the display device.

33. **(Previously Presented)** A method as defined in claim 22, wherein at least some of the search results are comprised of textual documents.

34. **(Previously Presented)** A method for searching, comprising:

receiving search criteria;

searching at least one body of knowledge based on the search criteria;

providing a plurality of search results that are responsive to the searching;

distilling a selected one of the search results into a result object that is created as a data entity having a predefined format and that is distinct from the search result, the result object including content extracted from the selected search result in accordance with a plurality of data type preferences selected from a plurality of predefined data type preference types;

creating a menu corresponding to the result object, the menu including a plurality of menu options, wherein each menu option defines a result category that is descriptive of a predefined portion of the content of the result object; and

graphically displaying the menu on a display device, wherein a user may optionally select any one of the menu options.

35. **(Previously Presented)** A method as defined in claim 34, wherein at least one result category comprises one of the selected data type preference types used to distil the search result.

36. **(Previously Presented)** A method as defined in claim 34, wherein selection of a menu option causes a corresponding content portion of the result object to be displayed on the display device.

37. **(Previously Presented)** A method as defined in claim 34, wherein selection of a menu option causes a corresponding content portion of the selected search result to be displayed on the display device.

38. **(Previously Presented)** A method as defined in claim 34, further comprising a plurality of content metrics that are associated with a corresponding menu option, wherein each content metric is representative of a value for the result category of the menu option.

39. **(Previously Presented)** A method as defined in claim 38, wherein the value represented by the content metric is a quantitative measure of the corresponding result category.

40. **(Previously Presented)** A method as defined in claim 39, wherein the quantitative measure comprises a number of results for the corresponding result category.

41. **(Previously Presented)** A method as defined in claim 39, wherein the quantitative measure comprises a number of occurrences of a data type specified by the corresponding result category.

42. **(Previously Presented)** A method as defined in claim 38, wherein the value represented by the content metric is a qualitative measure of the corresponding result category.

43. **(Previously Presented)** A method as defined in claim 42, wherein the qualitative measure is indicative of the degree of relevance of the corresponding result category to the search criteria.

44. **(Previously Presented)** A method for searching, comprising:

receiving search criteria;

searching at least one body of knowledge based on the search criteria;

providing a plurality of search results that are responsive to the searching, wherein at least one of the search results is a document comprised of text content;

selecting one of the text-content document search results; and

at substantially the time of selection, distilling the selected document, wherein the step of distilling comprises the following steps:

extracting content from the selected document in accordance with a plurality of data type rules;

deriving a plurality of key points from the text content of the selected document, wherein key points are at least partially identified by locating text portions within the document that contain predefined verb types; and

generating a reduced content distilled document that contains at least a portion of the extracted content and at least one of the key points.

45. **(Previously Presented)** A method as defined in claim 44, further comprising the step of displaying the reduced content distilled document on a display device.

46. **(Previously Presented)** A method as defined in claim 44, wherein the step of deriving key points comprises:

segmenting the text content of the selected document into a plurality of separate textual components;

identifying whether verbs are present within the textual components;

comparing identified verbs to a predefined hierarchy of verb sequences; and

based upon the results of the comparison, identifying which of the identified verbs are used in identifying key points.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

None (see II. above).